

CHAPTER I: INTRODUCTION AND BACKGROUND

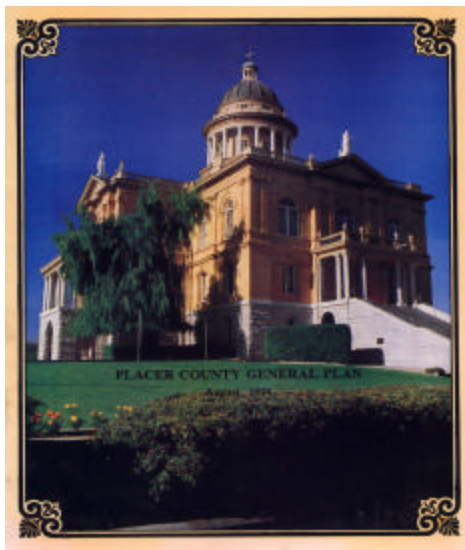
The *Placer Legacy Open Space and Agricultural Conservation Program* is a program of the County of Placer to protect and conserve open space and agricultural lands in Placer County. The program has been developed to implement the goals, policies and programs of the 1994 Placer County General Plan.

Placer County rises from the Sacramento Valley to the spectacular shores of Lake Tahoe. Between the valley and the summit lies one of the signature landscapes of California, the oak woodlands of the Sierra Nevada. This geographic and climatic diversity makes Placer County home to a rich variety of plant and animals species and contributes to the County's reputation as one of the scenic treasures of California. The tremendous diversity of our landscape is evident on [Map 14](#) (Ecoregions of Placer County), and [Map 15](#) (Natural Vegetation Communities with Ecoregions). (All of the maps described in this narrative are located in the Placer Legacy Atlas of Maps found at the back of this report.)

Over the last 150 years, many of the County's once vast grasslands, woodlands, and riparian areas have been converted to urban rural, suburban, industrial, and agricultural uses. These trends are expected to continue for many decades to come. Today, Placer County is one of the fastest growing counties in California. Residents and businesses continue to be attracted by the opportunity to live, work and recreate in a place of such remarkable natural beauty. As population growth continues, however, Placer County risks losing the natural and scenic qualities that distinguish it from other developing regions of the country. By adopting a comprehensive open space and agricultural conservation program to implement the goals established in the County's 1994 General Plan, as well as the Cities' General Plans, Placer County can retain its unique natural heritage, minimize conflicts in achieving conservation and development goals, and enhance the prosperity of current and future residents.

GENERAL PLAN SETTING

In 1994, the Board of Supervisors updated its General Plan by adopting a new *General Plan Policy Document* and *Land Use Diagram*. The 1994 *General Plan Policy Document* contains hundreds of policies which are intended to govern land development and economic development activities for the unincorporated areas of Placer County. The General Plan serves as the community's "constitution" for land use and development.



According to state law a General Plan must be comprised of seven "elements" or chapters addressing a variety of issues including land use, transportation, housing, safety, open space, conservation, and noise. Since 1973 state law has required a General Plan to contain an open space element (Government Code Section 65560 *et. seq.*). The Government Code considers open space land to be "any

parcel or area of land or water which is essentially unimproved and devoted to an open-space use.” The law further provides a breakdown by categorizing open space as four distinct types:

- ♦ **Open space** for the preservation of natural resources
- ♦ **Open space** used for the managed production of resources
- ♦ **Open space** for outdoor recreation
- ♦ **Open space** for public health and safety

All of the above are considered open space in the Placer County General Plan and consequently are evaluated in this program for conservation purposes. Additional information on the definition of open space is found in [Appendix A](#), Commonly Used Terms.

The Placer Legacy program is further supported by state law where the state legislature declared the following:

- (a) That the preservation of open-space land, as defined in this article (i.e., Government Code Section 65561), is necessary not only for the maintenance of the economy of the state, but also for the assurance of the continued availability of land for the production of food and fiber, for the enjoyment of scenic beauty, for recreation and for the use of natural resources.
- (b) That discouraging premature and unnecessary conversion of open-space land to urban uses is a matter of public interest and will be of benefit to urban dwellers because it will discourage noncontiguous development patterns which unnecessarily increase the costs of community services to community residents.
- (c) That the anticipated increase in the population of the state demands that cities, counties, and the state at the earliest possible date make definite plans for the preservation of valuable open-space land and take positive action to carry out such plans by the adoption and strict administration of laws, ordinances, rules and regulations as authorized by this chapter or by other appropriate methods.
- (d) That in order to assure that the interests of all its people are met in the orderly growth and development of the state and the preservation and conservation of its resources, it is necessary to provide for the development by the state, regional agencies, counties and cities, including charter cities, of statewide coordinated plans for the conservation and preservation of open-space lands.
- (e) That for these reasons this article is necessary for the promotion of the general welfare and for the protection of the public interest in open-space land.

The Placer Legacy program does not constitute the open space and conservation elements of the Placer County General Plan. Those elements are already contained in the 1994 *General Plan Policy Document*. However, the Placer Legacy program does implement those elements by seeking to protect the open space resources described above. It is based upon specific language

contained in the *General Plan Policy Document* that is intended to insure that a variety of resources that can be considered “open space” are protected. ([Appendix B](#) lists the goals and policies of the General Plan that support the preparation of this program.) Placer Legacy with its broad spectrum of open space conservation objectives serves as the primary tool through which the open space conservation policies of the General Plan can be implemented.

Under most circumstances the policies contained in the General Plan are applied at such time that land development activities are subject to some level of discretionary review by the County. Individual land development projects are reviewed for consistency with the General Plan in order to insure that subsequent development activities meet and satisfy local requirements expressed as policies in the General Plan. This represents the **reactive** approach to implementing the General Plan—i.e., apply the policies at such time that a project is brought before you. The *General Plan Policy Document* also provides a significant amount of direction on developing **proactive** programs to implement the General Plan. One of the areas that receives the greatest amount of attention in the General Plan are policies related to the conservation of open space resources in Placer County.

Once suburban and urban land uses are established, they represent a permanent part of the landscape which is very rarely altered to a less intensive use. The same cannot be said for agricultural, timber and open space lands. Such areas are often viewed as lands suitable for development once growth pressures and infrastructure changes make such lands available for conversion to more intensive uses. This program simply seeks to protect these resources in a manner that is as permanent as the urban and suburban parts of our landscape. It is intended to provide a balance to the changes in our landscape that are anticipated over the next 40-50 years of growth by insuring that certain places in the County, considered valuable because of their open space and natural resources, are to be protected in perpetuity.

In addition to implementing the General Plan, this program will also supplement existing open space and conservation programs. The County Parks department will continue to develop park and recreation facilities for county residents. The County will still require mitigation for impacts to open space and natural resources in approvals of individual development projects. These and other programs will continue to respond to the changes that are occurring in the County. Placer Legacy complements these existing programs and has the potential to supplement these existing efforts to make them more successful. The program will further enable the County to achieve compliance with federal and state laws pertaining to endangered species, natural community conservation planning, wetlands and streams. [Appendix C](#) is a list of existing programs in the County that will continue to have a relationship to the Placer Legacy program.

Lastly, the Placer Legacy program has the potential to provide important resource information that will guide and direct decisions on the preparation of environmental documents for compliance with the California Environmental Quality Act and for discretionary land use projects being examined by County staff and decision-makers. The data collected or generated by this program and the data received through monitoring efforts is information that heretofore the County has not had. Access to a complete and comprehensive data base including the utility of a computer-based geographic information system will provide decision-makers with a more

complete assessment of natural conditions and the anticipated changes to those conditions with individual projects.

PROGRAM DEVELOPMENT

In April of 1998, the Board of Supervisors considered and adopted the proposed goal and objectives (see Page 1-7) of Placer Legacy. The development and adoption of these objectives was important at the inception of the program in order to provide the necessary refinement to the County General Plan policies. These statements answered the basic questions about the scope of the program and provided some focus as to what types of open space were to be evaluated for conservation and for what purpose.

Working Groups

In order to develop a program that covers such a broad range of interests it is necessary to engage and involve the public at many levels. One of the more common methods is to create stakeholder working groups who are intended to represent a variety of interests during the program development phase of the program. For the Placer Legacy effort three working groups were formed: 1) a Citizens Advisory Committee, 2) an Interagency Working Group and 3) a Scientific Working Group. Additionally, the County formed a partnership with a local, non-profit business association, the Sierra Business Council.

Citizens Advisory Committee

On November 8, 1999 the Board of Supervisors adopted Resolution Number 99-283 ([Appendix D](#)) which formed the Placer Legacy Citizens Advisory Committee (CAC). This was an eleven member committee representing a broad spectrum of interests including agriculture, land development, environmental organizations, large and small business, and community organizations. The CAC membership included Joanne Neft (Chair), Larry Welch, Jeff Bordelon, Tim Woodall, Alex Ferriera, Bob Roan, Tom Lumbrazo, Ron Heskett, Sharon Cavallo, Ronald Bakken, and Don Riolo. The CAC has filled a number of roles, including providing a public forum for discussion of the program, to provide public outreach through their contacts with key constituencies and to provide recommendations to the Board of Supervisors. The CAC role was accomplished upon delivery of the draft program to the Board of Supervisors on June 20, 2000 (*tentative approval date*). One of the key products of the CAC was the recommendation to the Board on a number of implementation options for the program. These options are discussed elsewhere in the balance of this document. The specific recommendations that were adopted by the Board of Supervisors are included in [Appendix D](#).

Interagency Working Group

In addition to the Citizens Advisory Committee, the County also formed a interagency working group (IWG) to insure that members of state, federal and local governments who had a stakeholder interest in the program had a forum for participation. A partial list of IWG members includes natural resource regulatory agencies such as the California Department of Fish and Game and the U.S. Fish and Wildlife Service, land managers

such as the U.S. Forest Service and the Bureau of Land Management and local government such as the Placer County Water Agency and the Cities of Placer County. The IWG role has been important during program development to insure that Placer Legacy is consistent with state, federal and local regulations and mandates. The IWG's role will also be important during program implementation due to the regulatory components of the program that will be pursued after program adoption (e.g., state and federal endangered species act take permits) and because of the common conservation goals that could include the management of state and federal lands (e.g., the Tahoe National Forest)

Scientific Working Group

Because two of the program objectives are focused on the protection of biological resources in the County and because certain elements of the program implementation involve permitting of state and federal resource agencies, the County also formed a scientific working group (SWG). The role of the SWG is to insure that the biological resources component of the Placer Legacy program is founded on sound conservation biology principles. The SWG is drawn from a number of disciplines including geography, conservation biology, aquatic resources, and terrestrial ecology. Dr. Peter Brussard from the University of Nevada Reno chairs the SWG. Members include Dr. Ted Case from the University of California, San Diego, Dr. Bruce Pavlik from Mills College, Dr. Frank Davis, from University of California, Santa Barbara and Dr. Don Erman from University of California, Davis.

Sierra Business Council

In addition to the use of the three working groups, Placer County has also established public/private partnership with the Sierra Business Council (SBC). SBC is a non-profit business association located in Truckee, California. The SBC mission is to "secure the long term economic and environmental health of the 12-county Sierra Nevada region". SBC provided assistance in program development, coordination, grant fund raising and public participation. The relationship between Placer County and SBC is an excellent example of what can be accomplished with public/private partnerships where common goals and objectives have been identified and are attainable through cooperation and mutual assistance.

Work Plan

The work plan was presented to the Board of Supervisors in April of 1998. The overall objective was to complete the development of the program by summer of 2000. The basic elements of the work program were as follows:

- ♦ Develop program objectives and the overall scope of the program
- ♦ Form the stakeholder working groups including the Citizens Advisory Committee, the Interagency Working Group and the Scientific Working Group
- ♦ Begin data collection and assessment
- ♦ Refine the goals and objectives of the program through citizen participation

- ♦ Identify a series of conservation recommendations
- ♦ Evaluate the recommendations against the known condition of the resources as expressed by the data
- ♦ Prepare a draft conservation program
- ♦ Prepare a draft funding mechanism and examine fiscal impacts
- ♦ Provide recommendations on a governance structure
- ♦ Obtain additional public input on the draft program
- ♦ Obtain Board of Supervisors approval of the conservation program, the funding mechanism and governance structure

CONSERVATION PROGRAM GOALS AND REGULATORY GOALS

From its inception, the Placer Legacy program has included work program elements to address regulatory requirements associated with biological resources (i.e., state and federal endangered species acts and federal wetland regulatory laws) and the non-regulatory conservation objectives of the Placer County General Plan. The chief regulatory and non-regulatory components of the program include the following:

Non-Regulatory Program Elements

The non-regulatory elements of the work program are derived from community and social values in Placer County. With this program the County has a great deal of discretion to determine how these important resources can be protected. Under most circumstances, there is little in the way of local, state or federal regulation or revenue sources to protect these resources. All of these resources are identified in the Placer County General Plan as being worthy of some degree of protection. The Placer Legacy program will serve as the means by which protection measures can be implemented. The non-regulatory elements of the program address all of the following objectives:

Placer Legacy Goals and Objectives

GOAL STATEMENT

Placer County has been blessed with extensive and diverse natural resources: woodlands, forests, grasslands, riparian areas, lakes, rivers and an assortment of open spaces. It is the goal of this project to develop specific, economically viable, implementation programs which will enable the residents of Placer County to preserve a sufficient quantity of these resources to maintain a high quality of life and an abundance of diverse natural habitats while supporting the economic viability of the County and enhancing property values. The project will further the various open space and natural resource goals of the Placer County General Plan and associated general plans of the six cities in Placer County.

OBJECTIVES

- ♦ ***Maintain*** a viable agricultural segment of the economy;
- ♦ ***Conserve*** natural features necessary for access to a variety of outdoor recreation opportunities;
- ♦ ***Retain*** important scenic and historic areas;
- ♦ ***Preserve*** the diversity of plant and animal communities;
- ♦ ***Protect*** endangered and other special status plant and animal species;
- ♦ ***Separate*** urban areas into distinct communities; and
- ♦ ***Ensure*** public safety.

KEY ELEMENTS

The Placer Legacy Program will:

- ♦ Provide a wide variety of ownership, preservation, and funding methods to address the diverse circumstances present in the County;
- ♦ Benefit the County's economic future by clearly maintaining the County as an outstanding place to live and do business;
- ♦ Maintain local land use control by taking a leadership role in the preservation of endangered species and habitat protection;
- ♦ Identify open spaces of importance to residents of the cities as well as the unincorporated area;
- ♦ Improve certainty in the regulatory process; and
- ♦ Design the program to allow phasing and early opportunities for successful implementation.

MEASURES OF SUCCESS

In developing the program, priority will be given to ensuring that:

- ♦ The process involves all stakeholders and provides meaningful opportunities for public involvement from both unincorporated and incorporated area residents;
- ♦ The final program is scientifically sound, ensures the long-term conservation of important open spaces and natural communities, and includes a financing plan for immediate and ongoing implementation; and
- ♦ The effort receives the widespread support of Placer County residents.

REGULATORY PROGRAM ELEMENTS

The Placer Legacy Program will seek a number of state and federal resource permits as a subset of the overall program objectives. These permits are primarily associated with the anticipated impacts to sensitive species and their habitats in Placer County. The State and Federal Endangered Species Acts require a permit for certain types of activities that can harm listed sensitive plant and animal species and their habitats. The Federal Clean Water Act requires permits for the discharge of fill materials in wetlands. In all cases, in Placer County, permits are currently issued on a project-by-project basis. The Placer Legacy Program will seek to obtain regulatory compliance through a comprehensive planning and permitting program in the form of a Natural Communities Conservation Plan (NCCP) and a Habitat Conservation Plan (HCP). Additional information on the regulatory compliance objectives and program are found in [Chapter III, Section D](#). A definition of an NCCP and HCP is found in [Appendix A, Commonly Used Terms](#).